

09/29/03 17707 U.S. PTO

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (New Nonprovisional Applications Under 37 CFR § 1.53(b))	Attorney Docket No. <b>W0002D3</b>
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17707 U.S. PTO  
10/675042

09/29/2003

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, **Darryl G. Walker**, entitled **Random Access Memory Cell Having Reduced Current Leakage and Having a Pass Transistor Control Gate Formed in a Trench** (as amended), for a(n):

- ( ) Original Patent Application.  
 (X) Continuing Application (prior application not abandoned):  
     (X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
         of prior application No: 09/546,747 Filed on: April 11, 2000.  
     (X) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification; 34 Total Pages. (X) Drawing(s); 3 Total Sheets.  
 (X) Oath or Declaration:  
     ( ) A Newly Executed Combined Declaration and Power of Attorney:  
         ( ) Signed. ( ) Unsigned. ( ) Partially Signed.  
     (X) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
         (X) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the  
             oath or declaration is supplied, is considered as being part of the disclosure of the accompanying  
             application and is hereby incorporated herein by reference.  
         ( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
     ( ) Power of Attorney. (X) Return Receipt Postcard.  
     ( ) Associate Power of Attorney. (X) A Check in the amount of \$ 768.00 for the Filing Fee.  
     ( ) Preliminary Amendment. (X) Information Disclosure Statement and Form PTO-1449.  
     ( ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.  
     ( ) A Certified Copy of Priority Documents (if foreign priority is claimed).  
     ( ) A Certified Copy of Priority Documents was previously filed in parent application Serial No. No: .  
     ( ) Applicant Claims Status as a Small Entity.  
     ( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.  
     (X) Request for Nonpublication  
     (X) Other: Supplemental Declaration

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	21	1	\$18.00	\$ 18.00
Independent Claims	1	0	\$84.00	\$ 0.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$750.00
Total Filing Fee				\$ 768.00

Pursuant to 37 CFR § 1.25, at any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-2087.

Respectfully submitted,

By: Bradley T. Sako  
 Bradley T. Sako, Attorney of Record, Reg. No. 37923  
 Date: 9/29/2003

Correspondence Address:

Bradley T. Sako  
 WALKER & SAKO, LLP  
 300 South First Street  
 Suite 235  
 San Jose, CA 95113  
 Phone: 1-408-289-5315  
 Fax: 1-408-977-0174

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313

By: Bradley T. Sako

Typed/Printed Name: BRADLEY T. SAKO

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Date of Deposit: SEPTEMBER 29, 2003

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor WALKER, Darryl G.

Title Random Access Memory Cell Having Reduced Current Leakage and Having a Pass Transistor Control Gate Formed in a Trench

Attorney Docket Number W0002D3

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

9/29/2003

Date

Bradley T. Sako

Signature

(408) 289-5315

Telephone number

Bradley T. Sako, Reg. No. 37,923

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.